

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NICHOLAS S. LIAKAS,

Plaintiff,

v.

Civil Action  
No. 04-10354-NG

UNITED STATES DEPARTMENT OF EDUCATION  
c/o AMERICAN STUDENT ASSISTANCE,  
Defendant.

ORDER ON SCREENING  
PURSUANT TO SECTION 1915(e)(2)

Having completed the screening on the merits of plaintiff's complaint pursuant to Section 1915(e)(2), the Court makes the following findings:

FINDINGS

1. The complaint is frivolous, malicious, or fails to state a claim upon which relief may be granted:

No  Yes  as to defendant United States Department of Education

2. The complaint seeks relief from a defendant or defendants who are immune from such relief:

No  Yes  as to defendant United States Department of Education

ORDERS

Based upon the foregoing:

1. The Clerk shall issue summonses and the United States Marshal shall serve a copy of the complaint, summons and this order upon defendant(s) as directed by the plaintiff with all costs of service to be advanced by the United States.

No  Yes   as to all defendants  
 only as to defendant(s)

2. The complaint shall be dismissed pursuant to 28 U.S.C. § 1915(e)(2) without further notice after thirty-five days from the date of this Order, unless before that time plaintiff demonstrates good cause, in writing why this case should not be dismissed for the reasons stated in the accompanying memorandum.

No  Yes  as to all defendants  
 only as to defendant(s)

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SO ORDERED.

12/2/04  
DATE

/s/ Nancy Gertner  
NANCY GERTNER  
UNITED STATES DISTRICT JUDGE